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OFFICE OF PETITIONS

In re Application of :
Finseth et al. :
Application No. 09/532,755 :
Filed: March 22, 2000 :
Title: Method and Apparatus For Transmission :
Receipt and Display of Advertisement :

ON PETITION

This is a decision on the petition under 37 CFR 1.181 to withdraw the holding of abandonment, filed November 8, 2006.

The petition to withdraw the holding of abandonment is **GRANTED**.

This application was held abandoned June 26 2004 for failure to timely reply to the non-final Office Action mailed on March 25, 2004. The non-final Office Action set a three (3) month extendable time period for reply. A Notice of Abandonment was mailed October 11, 2006.

Petitioner asserts that a reply to the non-final Office Action was timely submitted on June 25, 2004. As evidence, petitioner has submitted a copy of the reply which contains a certificate of mailing dated June 25, 2004 pursuant to 37 CFR 1.8. Petitioner has also provided a copy of a stamped postcard receipt dated June 28, 2004. The post card receipt serves as prima facie evidence that a reply to the Office Action was received in the Office.

The response submitted on June 25, 2004 has not been located in the Office, however, in view of the evidence submitted, the response is deemed timely.

The Notice of Abandonment is hereby vacated and the holding of abandonment is withdrawn.

The application file is being forwarded to Art Unit 2623 for further processing of the amendment submitted on November 8, 2006.

Telephone inquiries concerning this matter should be directed to the undersigned at (571) 272-3215.

A handwritten signature in black ink, appearing to read "Charlema R. Grant". The signature is fluid and cursive, with a prominent "C" and a stylized "R".

Charlema R. Grant
Petitions Attorney
Office of Petitions